



AFFORDABLE CARE ACT MASSACHUSETTS IMPLEMENTATION UPDATE

March 13, 2012

Quick Links

[MA-ACA Website](#)



Join Our
Mailing List

These Updates, published by the Executive Office of Health and Human Services (EOHHS) in consultation with the other state agencies involved in ACA implementation, will bring you news related to the implementation of provisions of the ACA here in Massachusetts.

Grants and Demonstrations

The ACA provides funding opportunities to transform how health care is delivered, expand access to care and support healthcare workforce training.

Grant Announcements

Nurse Faculty Loan Program (NFLP), \$5311. Announced March 7, 2012. Funding is available to schools of nursing to support the establishment and operation of an interest-bearing NFLP fund. Eligible applicants are accredited schools or institutions that offer a graduate degree in nursing. Schools will provide loans from the NFLP fund to eligible graduate nursing students to complete their nursing education programs. The nursing school will forgive a portion of the loan principal and interest in exchange for the loan recipient's service as a full-time nursing faculty. HRSA expects to make 125 awards with estimated program funding of \$24M during federal fiscal year 2012. Applications are due April 20, 2012.

The announcement can be viewed at: [HRSA](#)

Guidance

3/12/12 HHS announced the final "Establishment of Exchanges and Qualified Health Plans; Exchange Standards for Employers" rule. The rule combines policies from two proposed rules published during the summer of 2011, providing guidance and options to states on how to establish and structure their health insurance exchanges, providing standards to qualify health plans for participation and determine the eligibility of both individuals and small business that want to use exchanges to provide health coverage to their employees, including premium tax credits. HHS also announced that certain eligibility and enrollment

requirements provisions of the final rule are being issued as an interim final rule and are open to public comments which are due May 11, 2012.

As required **under §1311, §1312 and §1321 of the ACA, the final rule offers a framework to assist states in setting up Affordable Insurance Exchanges.** Operational by January 1, 2014, exchanges will provide competitive marketplaces for individuals and small employers to directly compare available private health insurance options. Under the final rule, HHS will offer conditional approval to state plans if the states have made progress by January 2013, but aren't ready to submit their final exchange plans. The final rule allows states to decide whether their Exchange should be operated by a non-profit organization or a public agency, how to select plans to participate, and whether to partner with HHS for some key functions. According to the final rule, exchanges will perform a variety of functions, including: Certifying health plans as qualified health plans (QHPs, plans certified by Exchanges to meet minimum standards) to be offered in the Exchange; operating a website to facilitate comparisons among QHPs for consumers; operating a toll-free hotline for consumer support, providing grant funding to entities called "Navigators" for consumer assistance, and conducting outreach and education to consumers regarding Exchanges; determining eligibility of consumers for enrollment in QHPs and for insurance affordability programs (premium tax credits, Medicaid, CHIP and the Basic Health Plan); and facilitating enrollment of consumers in QHPs. The final rule gives Exchanges the flexibility to establish standards for QHPs offered in a state's Exchange, such as the number and type of health plan choices offered in the Exchange, which could allow any health plan meeting the standards to participate or could create a competitive process for health plans to participate in the Exchange.

The final rule also offers **flexibility regarding the eligibility determination process as authorized under ACA §1411 and §1413** establishing a streamlined, coordinated, and web-based system (which maximizes automated electronic data matching when possible) through which an individual may apply for and receive a determination of eligibility for enrollment in a QHP through the Exchange. The regulation also says that exchanges can conduct eligibility determinations for Medicaid or make a preliminary eligibility assessment and turn it over to the state Medicaid agency for final determination and also outlines options for determining eligibility for the advanced premium tax credits.

The final rule also provides **standards for Exchanges to build partnerships with and award grants to entities known as "Navigators"** who will reach out to employers and employees, consumers, and self-employed individuals to conduct public education activities to raise awareness about QHPs and assist consumers in selecting QHPs. The final rule directs states to award grants to at least two Navigator organizations, one of which must be a community or consumer-focused non-profit organization.

Beginning in 2014, Exchanges will operate a **Small Business Health Options Program (SHOP) authorized under ACA §1311** which will provide small employers with new ways to offer employee health coverage and access to tax credits that make coverage more affordable. Under the final rule, states will make the final decisions about what size of businesses can participate in SHOP and what health plan choices they can offer their employees.

HHS said that an additional rule on reinsurance, risk corridors and risk adjustment for plans sold in exchanges, as well as a Treasury Department regulation relating to premium tax credits and a Medicaid eligibility expansion regulation will all be published as separate final rules. HHS will also issue further guidance on the federally facilitated exchange.

Read the final rule and the interim final rule (which were published in the Federal Register on March 27, 2012) at: <http://www.gpo.gov/fdsys/pkg/FR-2012-03-27/pdf/2012-6125.pdf>

Read the fact sheet at:

<http://www.healthcare.gov/news/factsheets/2011/07/exchanges07112011a.html>

Read the press release at: <http://www.hhs.gov/news/press/2012pres/03/20120312a.html>

Prior guidance can be viewed at www.healthcare.gov

News

3/7/12 HHS announced that 1.3 million minority young adults have obtained health insurance under §1001 of the ACA between September 2010, when the provision went into effect, and June 2011. This includes approximately 736,000 Latinos, 410,000 Blacks, 97,000 Asian Americans, and 29,000 American Indian/Alaska Natives. This provision of the ACA allows individuals to remain on their parents' health insurance until age 26. In addition, the data from the National Interview Survey and the Current Population Survey shows that overall 2.5 million young adults have obtained health insurance because of the ACA.

Read the press release at: <http://www.hhs.gov/news/press/2012pres/03/20120307a.html>

Read the issue brief at: <http://aspe.hhs.gov/health/reports/2012/YoungAdultsbyGroup/ib.shtml>

EOHHS News

3/12/12 EOHHS held a Quarterly Affordable Care Act Implementation Stakeholder Meeting and the agenda included recent ACA implementation activities as well as a question and answer session. A presentation was given by the Division of Insurance on Essential Health Benefits, the set of medical services in ten broad categories of care required by ACA §1302 to be offered as part of a comprehensive package of items and services for small group plans and individual (non-group) plans, both inside and outside the Exchange. Stakeholders also heard a presentation from the Health Connector on their recent \$11.6 million Level 1 Exchange Establishment Grant award from HHS under §1311 of the ACA. The grant funding will enable the Health Connector to transition to an ACA-compliant Exchange, ensuring it has the products and services to best meet the needs of individuals and small businesses in Massachusetts, supporting other work with state partners in moving forward with implementation of other key components of federal health care reform implementation, and working with state and other community partners to develop a strategy to best outreach to and educate individuals and small businesses on the impact of the ACA and the new affordable health insurance options that may be available to them in 2014.

View the Presentation on Essential Health Benefit Options for Massachusetts at:

[Presentation](#)

View the draft Essential Health Benefit Plan Options chart at: [Chart](#)

View the Update on Level 1 Establishment Grant Presentation at: [Update](#)

All presentations from past Quarterly Stakeholder Meetings are available at:

[Presentations](#) under Materials from Previous Quarterly Stakeholder Meetings.

2/16/12 MassHealth's final proposal for a State Demonstration to Integrate Care for Dual Eligible Individuals was submitted to CMS on February 16, 2012. The final Demonstration Proposal and accompanying documents are posted at:

www.mass.gov/masshealth/duals, under Demonstration Proposal. In addition, CMS posted the

proposal at: <http://www.integratedcareresourcecenter.com/icmstateproposals.aspx> on February 17. CMS is seeking public comment through a 30-day notice period. During this time interested individuals or groups may submit comments to help inform CMS' review of the proposal. To be assured consideration, **please submit comments by 5 p.m., March 19**. You may submit comments on this proposal to: MedicareMedicaidCoordination@cms.hhs.gov.

Upcoming Events

Integrating Medicare and Medicaid for Dual Eligible Individuals Open Meeting

April 9, 2012, 10:00 AM - 12:00 PM

State Transportation Building, Conference Rooms 1, 2, & 3, Second Floor, 10 Park Plaza, Boston

The purpose of this open meeting will be to discuss next steps in the State Demonstration to Integrate Care for Dual Eligible Individuals, following topical workgroup and other activities occurring in March.

Attendance is welcome from all stakeholders and members of the public with interest in this proposed Demonstration. Reasonable accommodations will be made for participants who need assistance. Please send your request for accommodations to Donna Kymalainen at

Donna.Kymalainen@state.ma.us.

Insurance Market Reform Work Group Open Stakeholder Meetings

The Insurance Market Reform Work Group, co-chaired by the Health Connector and the Division of Insurance, is hosting a series of open meetings to solicit feedback on a range of topics under its purview. The meeting schedule and proposed topics are highlighted below. If any interested persons are unable to attend the meetings in person, they can participate in the session by calling the number below. We highly encourage people to attend in person as the acoustics in the Hearing Room can be difficult.

Dialing Instructions:

Dial 1-877-820-7831

Pass Code 9630386# (please make sure to press # after the number).

Research to study the impact of ACA changes to the size of the small group market (from 1-50 to 1-100); and Changes to rating factors (e.g., group size adjustment, age bands, industry code, etc)

March 23, 2012

10:00 - 11:30 AM

1000 Washington Street, Boston

Hearing Room E, DOI Offices

Follow-up meeting on Essential Health Benefits approach and options

April 6, 2012

10:00 - 11:30 AM

1000 Washington Street, Boston

Hearing Room E, DOI Offices

Follow-up meeting about research to study the impact of ACA changes to the size of the small group market; and Changes to rating factors (e.g., group size adjustment, age bands, etc.)

April 27, 2012

10:00 - 11:30 AM

1000 Washington Street, Boston

Hearing Room E, DOI Offices

Potential ACA changes including open enrollment/special enrollment, eligibility appeals, termination, uniformity of forms

May 11, 2012

10:00 - 11:30 AM

1000 Washington Street, Boston

Hearing Room E, DOI Offices

Other issues (TBD)

May 25, 2012

10:00 - 11:30 AM

1000 Washington Street, Boston

Hearing Room E, DOI Offices

3R's Working Group Stakeholder Session to Discuss ACA Provisions Related to Reinsurance, Risk Adjustment and Risk Corridors

If any interested persons are unable to attend the meetings in person, they can participate in the session by calling the number below.

Dialing Instructions

Dial 1-877-820-7831

Pass Code 9630386 # (please make sure to press # after the number)

Friday, March 16, 2012

10:00 AM - 11:30 AM

1000 Washington Street, Boston

Hearing Room E, DOI Offices

Bookmark the **Massachusetts National Health Care Reform website**

at: http://mass.gov/national_health_reform to read updates on ACA implementation in Massachusetts.

Remember to check <http://mass.gov/masshealth/duals> for information on the **"Integrating Medicare and Medicaid for Dual Eligible Individuals"** initiative.